

REMARKS

Reconsideration of the issues raised in the above referenced Office Action is respectfully solicited.

The objections to Claims 1-3, 6, 8, 11, 15 and 18 set forth at paragraph 1 of the Office Action have been considered. These claims have been amended as suggested or the objected to features have been deleted therefrom. Therefore, withdrawal of the claim objections is respectfully requested.

Applicants appreciate the indication of allowable subject matter in Claims 3-6 and 11-20. Claims 21 and 22 have been added.

Claim 3 has been rewritten in independent form to include the features from parent Claims 1 and 2, except for the manipulative member being lowered or moved relative to the wheeled base during movement of the at least one auxiliary wheel from Claim 1. Claim 3 appears to remain allowable due to the specific structure of the transverse control shaft linkage recited therein. Therefore Claim 3, and Claims 4-6 and 22 dependent therefrom, are allowable.

Applicants appreciate the indication of allowable subject matter in independent Claim 11. Applicants agree with the statement in the Office Action that the phrase "transverse control shaft positioned in a central aperture of said at least one auxiliary wheel" recited in Claim 11 distinguishes the applied prior art. Thus, this feature remains in amended Claim 11.

Claim 11 previously recited that the transverse control shaft moves along with the auxiliary wheel to the deployed position and to the stowed position. This feature does not appear to be necessary for allowance of Claim 11. Thus, this feature has been deleted from Claim 11 and added to dependent Claims 12 and 13, respectively.

For the above reasons Claim 11, and Claims 12-16 and 20 dependent therefrom, remain allowable.

The Office Action states that Claim 18 is allowable for reciting the phrase "wherein, when said at least one auxiliary wheel is in the stowed position, application of a force to said manipulative member provides a rotational force component rotating said transverse control shaft and a linear downwardly directed force component assisting in downward movement of said at least one auxiliary wheel to the deployed position". Applicants agree that this phrase distinguishes the applied prior art.

The feature of the transverse control shaft "extending through a central aperture of said at least one auxiliary wheel" does not appear to be necessary to the allowance of Claim 18. Thus, this feature has been deleted from Claim 18 and is now presented in added Claim 21 dependent therefrom.

For the above reasons, Applicants' Claim 18, and Claims 19 and 21 dependent therefrom, continue to distinguish the prior art.

The rejection of Claims 1, 2 and 7 under 35 USC §102(b) as being clearly anticipated by U.S. Patent No. 6 240 579 to Hanson has been considered.

In Figure 4 of Hanson, the manipulative member or pedal 64 is provided on a shaft 62. The shaft is rotatable, but remains fixed relative to the frame members 24 and 26 of the wheeled base.

Amended Claim 1 recites "at least one manipulative member connected to a transverse control shaft, the transverse control shaft being mounted to said auxiliary wheel support structure, said transverse control shaft being lowered relative to the wheeled base during lowering movement of said at least one auxiliary wheel to the deployed position and moved relative to the wheeled base during upward movement of said at least one auxiliary wheel to the stowed position". This lowering and raising movement of the control shaft relative to the wheeled base is not disclosed by Hanson, which has shaft 62 at a location fixed relative to the wheeled base.

For the above reasons Claim 1, and Claims 2 and 7 dependent therefrom, clearly distinguish Hanson.

The rejection of Claims 1, 7 and 8 under 35 USC §102(b) as being anticipated by U.S. Patent 3 304 116 to Stryker has been considered.

Stryker illustrates a wheel support that is pivoted about a pivot shaft 66 from a stowed position in Figure 13 to a deployed position in Figure 14. The shaft 66 is rotatably fixed to the base frame 12 of the wheeled carriage 10. Thus, the Stryker pivot shaft 66 is not "lowered relative to the wheeled base during lowering movement of said at least one auxiliary wheel" or "moved relative to the wheeled base during upward movement of said at least one auxiliary wheel" as recited in the last paragraph of Applicants' Claim 1. Instead, the Stryker pivot shaft only rotates relative to the wheeled base.

For the above reasons Claim 1, and Claims 7 and 8 dependent therefrom, distinguish Stryker.

The rejection of Claims 1, 7, 9 and 10 under 35 USC §102(b) as being clearly anticipated by U.S. Patent 6 256 812 to Bartow has been considered.

Bartow discloses a wheeled carriage 16 including a wheeled base 18 and an auxiliary wheel mechanism 34 provided on the wheeled base. A control apparatus 47 includes a manually manipulatable member such as foot pedals 48, 49 secured at opposing ends of a rotatable shaft 50 of the wheeled base. Rotating the shaft 50 adjusts the position of auxiliary wheels 36, 38. As shown in Figure 4, rotation of the shaft 50 operates a linkage arrangement including a cam 72 and a cam follower 70.

There is no disclosure or suggestion in Bartow of the shaft 50 "being lowered relative to the wheeled base during lowering movement of said at least one auxiliary wheel to the deployed position" or "moved relative to the wheeled base during upward movement of said at least one auxiliary wheel to the stowed position" as recited in Applicants' Claim 1.

Instead, the shaft 50 of Bartow is fixed relative to the wheeled base, except for merely rotating to control/operate the auxiliary wheel support structure.

For the above reasons Applicants' Claim 1, and Claims 7, 9 and 10 dependent therefrom, distinguish Bartow.

For the above reasons, reconsideration and allowance of Claims 1-22 is respectfully requested.

Further and favorable reconsideration is respectfully solicited.

Respectfully submitted,

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